

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6999

BILL NUMBER: SB 253

NOTE PREPARED: Jan 26, 2006

BILL AMENDED: Jan 23, 2006

SUBJECT: Activities Along Shorelines.

FIRST AUTHOR: Sen. Weatherwax

FIRST SPONSOR:

BILL STATUS: 2nd Reading - 1st House

FUNDS AFFECTED: X GENERAL
X DEDICATED
FEDERAL

IMPACT: State

Summary of Legislation: This bill requires that a person who performs certain activities concerning water levels, shorelines, and lake beds along a lake or within ten feet of a lake obtain a permit from the Department of Natural Resources (DNR). It directs the Natural Resources Commission (NRC) to adopt rules.

The bill makes conforming changes and repeals superseded laws concerning permits to change water levels, shorelines, and lake beds.

Effective Date: July 1, 2006.

Explanation of State Expenditures: The bill adjusts the conditions under which a person must obtain a DNR permit in order to excavate; fill; or place, modify, or repair a temporary or permanent structure over, along, or lakeward of the shoreline or waterline of a public freshwater lake. The bill also requires the NRC to adopt rules to implement the provisions of the bill. The DNR and the Commission will be able to implement the above without additional funding.

Explanation of State Revenues: The bill adjusts the conditions under which a person must obtain a DNR permit in order to excavate; fill; or place, modify, or repair a temporary or permanent structure over, along, or lakeward of the shoreline or waterline of a public freshwater lake. If the lowest point of a structure or excavation would be below the elevation of the shoreline or waterline, the person must not place a permanent structure or conduct an excavation within 10 feet landward of the shoreline or waterline, as measured perpendicularly from the shoreline or waterline of a public freshwater lake.

Under existing law, seawalls can be installed landward within 10 feet of the shoreline. The installation of concrete seawalls within 10 feet of the shoreline can result in the tide washing away the soil and habitat between the seawall and the shoreline. As a result, the shoreline becomes the seawall. In this case, the shoreline is changed without a permit. The bill may result in the DNR issuing additional permits.

The fee for the permit remains at \$100. Fee revenue could increase as a result of this bill. Fees collected from permits are deposited in the Land and Water Resources Fund, which is used to fund local soil and water conservation programs; conduct research necessary for beneficial development of water resources; and to offset the costs to the Division of Water for administering the permit program.

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected: DNR, NRC.

Local Agencies Affected:

Information Sources:

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